

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

SOUTHERN STATES BANK, as  
successor in interest by merger  
with Columbus Community Bank,

Plaintiff,

v.

TERESA WATSON HOLLEY, as  
Executrix of the Estate of Steven  
F. Watson; UNITED STATES OF  
AMERICA; CAPITAL ONE,  
N.A.; and WELLS FARGO  
BANK, N.A.,

Defendants.

CASE NO. 3:18-CV-5-WKW

**ORDER**

Before the court are Plaintiff Southern States Bank's Motion for Default Judgment against Defendants Teresa Watson Holley, as executrix of the Estate of Steven F. Watson, Capital One, N.A., and Wells Fargo, N.A. (Doc. # 20) and the Stipulation by Plaintiff and Defendant United States of America (Doc. # 16). On April 23, 2018, the Clerk of the Court entered default against Defendants Holley, Capital One, and Wells Fargo. (Doc. # 18.) These defendants have not since appeared before the court.

On September 12, 2018, the Magistrate Judge filed a Recommendation to

which no timely objections were made. (Doc. # 23.) After an independent review of the record and on consideration of the Recommendation, it is ORDERED that:

1. The Magistrate Judge's Recommendation (Doc. # 23) is ADOPTED.
2. Plaintiff's Motion for Default Judgment (Doc. # 20) is GRANTED.
3. Default Judgment will be entered in favor of Plaintiff Southern States Bank against Defendants Teresa Watson Holley, as executrix of the Estate of Steven F. Watson, Capital One, N.A., and Wells Fargo, N.A.
4. The Mortgage that is the subject of Plaintiff's Complaint (Doc. # 1-3) and Plaintiff's Amended Complaint (Doc. # 1-4) is REFORMED to reflect the proper legal description of the Property as stated in Exhibit C to Plaintiff's Complaint and Plaintiff's Amended Complaint (attached to this Order as Exhibit A). The reformation shall relate back to the original date of the Mortgage so that it is superior to the liens of Defendants Holley, as executrix of the Estate of Steven F. Watson, Capital One, and Wells Fargo.
5. The Foreclosure Deed (a copy of which is attached to this Order as Exhibit B) is SET ASIDE and VOIDED as it was the result of an error due to the mistake in the legal description.
6. A final judgment will be entered separately.

DONE this 3rd day of October, 2018.

/s/ W. Keith Watkins  
\_\_\_\_\_  
CHIEF UNITED STATES DISTRICT JUDGE